

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**CYNTHIA L. HOLMES, a Missouri )  
professional corporation, individually and as )  
the representative of a class of similarly )  
situated persons, )**

**Plaintiff,**

**vs.**

**BACK DOCTORS, LTD., d/b/a Fairview )  
Heights Spine & Injury Center, )**

**Defendant.**

**CIVIL NO. 09-540-GPM**

**JUDGMENT IN A CIVIL CASE**

This action came on before the Court on a motion for summary judgment, Judge G. Patrick Murphy presiding, and the following decision was reached:

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the plaintiff Cynthia L. Holmes shall recover nothing under Count I of the complaint in this cause and Count I is dismissed with prejudice on the merits. Count II and Count III of the complaint in this cause are dismissed without prejudice.

**DATED:** October 21, 2009

NANCY J. ROSENSTENGEL, CLERK

By: s/Linda M. McGovern  
Deputy Clerk

APPROVED: S/G. Patrick Murphy  
G. PATRICK MURPHY  
U.S. DISTRICT JUDGE